

# United States District Court

## WESTERN DISTRICT OF WASHINGTON

ROBERT MITCHELL

### JUDGMENT IN A CIVIL CASE

v.

CORRECTIONAL OFFICERINI GILBERT, et al.,

CASE NUMBER: C09-5080BHS

— **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

The Court **OVERRULES** Plaintiff's objections;

The Court adopts the Report and Recommendation (Dkt. 29);

The Court denies Plaintiff's motions requesting hearings and motion for continuance (Dkts. 32 and 33); and

This action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

June 17, 2009  
Date

BRUCE RIFKIN  
Clerk

s/CM Gonzalez  
Deputy Clerk